

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI

ELIZABETH GREINER,	)	
	)	
Plaintiff,	)	Case No:
	)	
v.	)	
	)	
ROGER LYNN NEAL and	)	
RN TRUCKING, LLC,	)	
	)	
Defendants.	)	

**NOTICE OF REMOVAL**

COMES NOW Defendant RN Trucking, LLC, by and through its attorneys, Roberts Perryman, P.C., and hereby files his Notice of Removal stating the following:

**INTRODUCTION**

1. A civil action has been commenced and is now pending the Circuit Court of Jackson County, State of Missouri, Case No. 2016-CV17816, wherein Elizabeth Greiner is the Plaintiff and Roger Lynn Neal and RN Trucking, LLC are the Defendants.

2. This action is a civil action wherein Plaintiff has made claims for damages as a result of Defendants' alleged negligence in connection with a tractor trailer motor vehicle accident that occurred on September 22, 2017.

3. Defendant, Roger Lynn Neal, was a citizen of Missouri, but died on March 3, 2018. Defendant Neal was never served with Plaintiff's action.

4. Defendant, RN Trucking, LLC, was a limited liability company with its principal place of business in Missouri. All members of the LLC are citizens of Florida. No member is a citizen of Missouri.

5. RN Trucking, LLC has not been served with Plaintiff's Petition, but has waived service and consents to this removal.

**DIVERSITY OF CITIZENSHIP EXISTS**

6. This action is a civil action, of which the United States District Courts have original jurisdiction pursuant to 28 U.S.C. § 1332 and is one which may be removed to this Court by Defendant pursuant to 28 U.S.C. § 1441, and this is a civil action proceeding involving diversity of citizenship.

7. Plaintiff, Elizabeth Greiner, is a citizen of the State of Missouri.

8. Defendant, RN Trucking, LLC, was a limited liability company, with all members in Florida. No member is a citizen of Missouri.

9. Defendant, Roger Lynn Neal, was a citizen of Missouri, but is now deceased.

**THE AMOUNT IN CONTROVERSY HAS BEEN SATISFIED**

10. The amount in controversy exceeds \$75,000.00 exclusive of interest and costs. Plaintiff is claiming serious injuries, medical expenses, loss of enjoyment of life, future medical, pain and future pain from this accident. Plaintiff has made a \$1.0M policy limit demand and will not stipulate the damages are less than \$75,000. Therefore, the amount in controversy requirement is satisfied.

**NOTICE OF REMOVAL IS TIMELY**

11. Less than thirty (30) days have elapsed since receipt of said initial pleadings by Defendant given it has waived service and consents to the removal.

12. Defendant files herewith a copy of all process, pleadings, and order it has in this action. See *Exhibit A*.

WHEREFORE, Defendant RN Trucking, LLC, by and through counsel, prays the Court to accept its Notice for Removal, and make and enter such orders as may be necessary to affect the complete removal of this action from the Circuit Court of Jackson County, State of Missouri, to the United States District Court for the Western District of Missouri, and that further proceedings be discontinued in the State Court and all future proceedings be held in this Court, as the laws in such case provide.

Respectfully submitted,

ROBERTS PERRYMAN P.C.

/s/ Ted L. Perryman

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*Attorneys for Defendant RN Trucking, LLC*

### **CERTIFICATE OF SERVICE**

The undersigned certifies that on this 6th day of January, 2021, copies of the foregoing were served on the following counsel of record via electronic mail and the Court's ECF filing system:

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/s/ Ted L. Perryman